

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 753 - HB 1317**

February 10, 2023

**SUMMARY OF BILL:** Vacates and reconstitutes the Board of Pharmacy (Board) on July 1, 2023. Expands the membership of the Board from seven members to nine members, to be appointed by the Governor. Makes changes to the qualifications for membership on the Board and the initial terms of board members. Authorizes the Board to employ or retain general counsel, and hear and make determinations on cases that come before the Board.

**FISCAL IMPACT:**

**Increase State Expenditures - \$3,100/FY23-24 and Subsequent Years/  
Board of Pharmacy**

**Other Fiscal Impact – To the extent the Board of Pharmacy chooses to employ or retain general counsel, there will be additional expenditures incurred by the Board.**

**Pursuant to Tenn. Code Ann. § 4-29-121, all health-related boards are required to be self-supporting over a two-year period. The Board of Pharmacy had a surplus of \$198,441 in FY20-21, a surplus of \$404,000 in FY21-22, and a cumulative reserve balance of \$3,693,158 on June 30, 2022.**

**Assumptions:**

- The proposed legislation will add two additional members to the Board.
- Pursuant to Tenn. Code Ann. § 63-10-301(b), board members are entitled to a per diem of \$100 per meeting of the board, as well as reimbursement for travel expenses. The Board meets six times per year.
- It is estimated each board member will receive mileage reimbursement of \$160 (\$0.63 per mile x 254 miles) to attend each meeting. The total cost per board member per meeting is estimated to be \$260 (\$160 mileage + \$100 per diem).
- The recurring increase in state expenditures is estimated to be \$3,120 (\$260 x 2 members x 6 meetings) in FY23-24 and subsequent years.
- The Board currently utilizes an attorney employed by the Department of Health as counsel. It is unknown whether the Board would choose to hire an outside general counsel, and whether such employment would be contracted or full-time. To the extent the Board chooses to employ or retain general counsel, there will be additional expenditures incurred by the Board.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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